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EXAMINER

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/754,375
Filing Date: January 09, 2004
Appellant(s): BARTEK ET AL.

Scott D. Paul
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7/21/2008 appealing from the Office action mailed 6/09/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The following are the related appeals, interferences, and judicial proceedings known to the examiner which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal:

U.S. Patent Application No. 10/875971, which is a continuation in part to the present application, has an Appeal Brief filed on March 4, 2008.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

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The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,361,361	Hickman et al.	11-1994
2005/0065913	Lillie et al.	9-2003
2002/0054152	Palaniappan et al.	5-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 3, 5, 7, 11, 12, 13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hickman (US 5361361).

In regard to **claim 1**, Hickman discloses a method for producing a composite help view for an aggregation of applications, the method comprising the steps of:

obtaining at least two separate help documents, each of said at least two separate help documents having an association with a corresponding one of separate interface units aggregated together into a single aggregated view (*Fig 5, Fig 6 and Column 7 lines 38-59: In Figure 5 Hickman shows two applications aggregated into one display screen. Further Hickman discusses for each application within the system, accessing the help file directory and extracting the help topic and subtopic descriptors*);

combining said at least two separate help documents into a composition of help documents corresponding to said single aggregated view (*Fig 6 and Column 7 lines 38-59: Hickman discusses running a loop until all applications help files have been obtained and provided to the help utility window*);

and, rendering said composition of help documents in a help system view responsive to a request for help initiated in said single aggregated view (*Column 7 lines 31-34 and lines 59-62: Hickman discusses the use of help utility window for displaying the help topics associated with the given application on a system*).

In regard to **claim 2**, Hickman discloses a method wherein said rendering step further comprises the steps loading an index produced from a navigation view disposed within said single aggregated view (*Column 7 lines 35-37: Hickman discusses generating a list based on programs currently installed on system*);

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forming a help system navigation view based upon said index (*Column 7 lines 50-53: Hickman discusses maintaining a window position for each topic or subtopic*);

and, rendering said help system navigation view along with said rendering of said composition of help documents (*Column 7 lines 59-64*).

In regard to **claim 3**, Hickman discloses a method wherein said rendering step comprises the step of rendering both a view of said composition of help documents, and individual views of said separate help documents (*Column 6 lines 37-66*).

In regard to **claim 5**, Hickman discloses a method further comprising the steps of:

updating said single aggregated view to include at least one different interface unit (*Column 2 lines 20-26 and Figure 5: It is inherent that as many applications as necessary can be opened at one time on the screen shown in figure 5*);

changing said composition of help documents to include a new separate help document corresponding to said at least one different interface unit (*Column 2 lines 20-26*);

and, rendering said changed composition of help documents in a help system view responsive to a request for help initiated in said updated single aggregated view (*Column 7 lines 31-34 and lines 59-62: Hickman discusses the use of help utility window for displaying the help topics associated with the given applications on a*

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system. It is inherently shown that when a new application is installed, the help file will display this new application).

In regard to **claim 7**, Hickman discloses a system for producing a composite help view for an aggregation of applications comprising:

an application aggregator configured to aggregate individual interface units into a single aggregated view (*Fig 5*);

a help system configured to render a help system view comprising composite help documentation comprising at least two help documents, each of said at least two help documents corresponding to one of said individual interface units (*Figure 5*);

and, help invoking logic coupled to said help system and disposed in said single aggregated view (*Column 5 lines 58-60 and Column 7 lines 14-29*).

In regard to **claim 11**, Hickman discloses a machine readable storage having stored thereon a computer program for producing help view for an aggregation of applications, the computer program comprising a routine set of instructions which when executed by the machine cause the machine to perform the steps of (*Column 3 lines 3-4 and Figure 1: It is inherent for the operation of this system to contain machine code within the data storage device or on a disk to be used in the disk drive*):

obtaining at least two separate help documents, each of said at least two separate help documents having an association with a corresponding one of separate interface units aggregated together into a single aggregated view (*Fig 5, Fig 6 and*

Column 7 lines 38-59: In Figure 5 Hickman shows two applications aggregated into one display screen. Further Hickman discusses for each application within the system, accessing the help file directory and extracting the help topic and subtopic descriptors);

combining said at least two separate help documents into a composition of help documents corresponding to said single aggregated view (Fig 6 and Column 7 lines 38-59: Hickman discusses running a loop until all applications help files have been obtained and provided to the help utility window);

and, rendering said composition of help documents in a help system view responsive to a request for help initiated in said single aggregated view (Column 7 lines 31-34 and lines 59-62: Hickman discusses the use of help utility window for displaying the help topics associated with the given application on a system).

In regard to **claim 12**, Hickman discloses a machine readable storage wherein said rendering step further comprises the steps of:

loading an index produced from a navigation view disposed within said single aggregated view (Column 7 lines 35-37: Hickman discusses generating a list based on programs currently installed on system);

forming a help system navigation view based upon said index (Column 7 lines 50-53: Hickman discusses maintaining a window position for each topic or subtopic);

and, rendering said help system navigation view along with said rendering of said composition of help documents (Column 7 lines 59-64).

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In regard to **claim 13**, Hickman discloses a machine readable storage wherein said rendering step comprises the step of rendering both a view of said composition of help documents, and individual views of said separate help documents (*Column 6 lines 64-66*).

In regard to **claim 15**, Hickman discloses a machine readable storage further comprising the steps of:

updating said single aggregated view to include at least one different interface unit (*Column 2 lines 20-26 and Figure 5: It is inherent that as many applications as necessary can be opened at one time on the screen shown in figure 5*);

changing said composition of help documents to include a new separate help document corresponding to said at least one different interface unit (*Column 2 lines 20-26*);

and, rendering said changed composition of help documents in a help system view responsive to a request for help initiated in said updated single aggregated view (*Column 7 lines 31-34 and lines 59-62: Hickman discusses the use of help utility window for displaying the help topics associated with the given applications on a system. It is inherently shown that when a new application is installed, the help file will display this new application*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickman (US 5361361) and further in view of Palaniappan (US 2002/0054152 A1).

In regard to **claim 4**, Hickman discloses rendering a help system view (*Figure 5: The bookcase is considered to be the help system view*), activating a rendering of said view of said composition of help documents responsive to a selection (*Column 5 lines 55-63*) and otherwise activating a rendering of a single one of said separate help documents responsive to selection (*Column 6 lines 37- 47*). Hickman fails to disclose “obtaining image map of said single aggregated view”, “rendering said image map” and “selection of a portion of said image map”. However Palaniappan discloses obtaining image map of said single aggregated view (*Paragraph 0049*), rendering said image map (*Paragraph 0049 and Fig 6: Palaniappan discusses “how the user can see”*), and selection of a portion of said image map (*Paragraph 0050*). Hickman and Palaniappan are analogous art because they are from the same field of endeavor of presenting information to a user in the form of a list or menu. Therefore at the time of the invention

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it would have been obvious to one skilled in the art to combine the teachings of Hickman and Palaniappan to obtain an image map and apply it to the help system. The motivation to combine would have been to determine what application are present in the given aggregated document and displaying them to the user in a clickable map.

In regard to **claim 14**, claim 14 incorporates all the same limitations of the method claim 4, so therefore is rejected on the same grounds of claim 4.

Claim 8, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickman (US 5361361) and further in view of Lillie et al. (US 2005/0065913).

In regard to **claim 8**, Hickman fails to disclose a system wherein said individual interface units are application portlets, wherein said single aggregated view is a portal, and wherein said application aggregator is disposed within a portal server. However, Lillie discloses individual interface units are application portlets (*Fig 5 elements 550*), single aggregated view is a portal (*Fig 5 element 510*), and wherein said application aggregator is disposed within a portal server (*Paragraphs 0054-0055*). Hickman and Lillie are analogous art because they are both from the same field of endeavor of rendering aggregated content on a display and providing entry point to said aggregated content. Therefore at the time of the invention it would have been obvious to replace Hickman's single window (i.e., FIG. 5) with the portal (entry point) of Lillie because the

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portal (entry point) of Lillie provides substantially the same functionality as that of the single window illustrated by Hickman. Therefore, it would have been obvious to replace/modify Lillie with Hickman to obtain the invention as specified in claim 8.

In regard to **claim 9**, Hickman discloses wherein said help system is configured as a plug-in to an integrated development environment (*Column 7 lines 19-22: part of an application software package*)

In regard to **claim 10**, Hickman discloses a system wherein said help system further comprises a configuration for generating a personalized bookshelf for said at least two help documents (*Figure 5 Bookcase*).

Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hickman and further in view of official notice.

In regard to **claims 6 and 16**, Hickman fails to disclose restricting help information in said composition of help documents for a particular user to reflect restrictions in said single aggregated view imposed upon said user. However, it is well known in the art that users of particular computer systems are sometimes restricted from accessing certain programs. Therefore if a user is restricted from using a certain program it would be obvious to restrict help files associated with the particular program.

The motivation to combine would be to maintain the security of the system and prevent users from accessing material they do not have the privileges to see.

(10) Response to Argument

In response to applicant arguments regarding claim 1, the examiner respectfully disagrees. Applicant argues on pg 8 lines 4-7 that the Examiner is making a factually-unsupported inherency argument. Applicant further states “the Examiner is asserting that since Fig. 5 of Hickman looks somewhat similar to Fig. 3 of Appellants’ disclosure, then Fig. 5 of Hickman necessarily discloses the limitations embodied within Fig. 3 of Appellants’ disclosure.

The following is the Examiners argument found in the filed office action dated 6/09/2008.

In regard to applicants arguments that Hickman fails to disclose “separate interface units aggregated together into a single aggregated view”, the examiner disagrees. Figure 5 and Column 5 line 49 – Column 6 line 36 clearly teach this limitation. Applicant argues that the display screen is not a single aggregated view and was not formed by the aggregation of the two applications. Figure 5 of Hickman’s invention shows a typical screen display provided with the present invention. Within that display is a single aggregated view of application 1, application 2, and also the Bookcase help. These interface units are collected and displayed at the same time on the display screen of Hickman’s invention. When comparing figure 5 of Hickman invention and Fig 3 of the present invention, we can see the similarity. Elements 340A and 340B directly correlate with application 1 and application 2. Element 330 directly correlates with the Bookcase help, and element 320 directly correlates with the screen display. Therefore, Hickman teaches separate interface units (application 1 and application 2) aggregated together (collection of units into a body). No where does Hickman teach that the display screen exists

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separately and independently from application 1 and application 2. Figure 5 clearly shows that application 1 and application 2 are part of the display screen of Hickman and thus are aggregated together into a single view.

As indicated in the above argument, the examiner is relying on Fig 5 and Column 5 line 49 – Column 6 line 36 of Hickman. Within this cited passage, Hickman clearly discloses a screen display with a set of windows that may be displayed as the user invokes multiple application. Also discussed is displaying the integrated help utility (BOOK-CASE) along with the application windows. As shown in Fig 5, the application windows and integrated help utility are all aggregated together on the display screen. The reference between Fig 5 of Hickman and Fig 3 of the present invention was to help show the similarities between the two figures. It is not at all fully relied upon by the Examiner to teach the limitation. The cited passage describes what is shown in Fig 5 and teaches separate interface units (application 1, application 2, and help utility) aggregated together (collection of units into a body).

Applicant further provides an example, see pg 9 lines 5-14 as to why Hickman fails to show applications aggregated together. The examiner understands how the windows can appear to separate but would like to stress that that the examiner is interpreting aggregated application as multiple application displayed simultaneously on the display. The examiner must interpret the claims by there broadest meaning. The definition of aggregate is to bring together or to combine and form a collection. As known by those skilled in the art, there are displays that are only able to display one application window at a time, therefore, a first window completely blocking or obscuring

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a second window. These kinds of displays cannot aggregate the application to simultaneously display multiple applications on the display. As evident by Hickmans' invention, multiple applications along with the help utility can be simultaneously displayed thus aggregated (brought together or combined to form a collection) on the display.

In response to applicant arguments regarding claims 3 and 13, the examiner respectfully disagrees. Applicant argues that Hickman fails to disclose all the limitation of dependent claims 3 and 13. Applicant goes on further to argue that the subject matter of dependent claims 3 and 13 recites that at least three views are rendered, (i) the composition of help documents and (ii)/(iii) individual views. In no way does this limitation require that there be three views rendered on the screen. If anything, the claims recite at least two views, a view of said composition of help documents and a view of help documents. As indicated by applicant, the examiner cited column 6 lines 64-66 to teach this limitation. The examiner would like to remind applicant the cited reference should be considered as a whole. The cited passage is explained better when referring to the entire paragraph of Hickman, Col. 6 lines 37-66. Described in the cited passage is the selection of help topics from the integrated help utility window.

Hickman states

“This particular help topic may be selected for display by a user by activation of the signal generation device or mouse button of the computer system. Once this selection is made, the integrated help utility of the present invention accesses the file identifier and file index corresponding to the selected topic descriptor”.

Hickman further states

“This context string that uniquely identifies the location of the selected help information is transferred to help viewer 330 by integrated help utility 340 on line 342 as illustrated in Fig. 3. In convention manner, help viewer 330 accesses the specified help information and displays the information on display system 343.”

Lastly, Hickman states

“Thus the present invention integrates the display and selection of help directory information from multiple applications into a single window”.

Hickman is clearly teaching displaying the integrated help utility (which allows selection of topics by the user) and the help viewer (which displays help information from multiple applications) in a single window on the display, thus teaching the claimed limitation rendering both a view (two views) of composition of help documents and separate help documents.

In response to applicant arguments regarding claim 7, the examiner respectfully disagrees. Applicant argues that “help invoking logic” disposed in the single aggregate view is that the logic is contained within the view. As explained by the examiner in the above arguments, Hickman teaches aggregating multiple applications and the integrated help utility in the display. As taught by Hickman in col. 5 lines 58-60, is the ability to invoke help from a menu selection provided at the top of the display screen. Further, Hickman teaches in col. 6 lines 37-47 the ability for a user to select a particular

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help topic for viewing. Therefore, since the user is given the ability to invoke help from a menu displayed on the screen, the logic for invoking help is contained within the view. Also Hickman teaches invoking particular help topics from the view, which still teaches “help invoking logic coupled to said help system and disposed in said single aggregated view”.

In response to applicant arguments regarding claims 4 and 14, applicant incorporates the arguments previously advanced in traversing the imposed rejection of claims 1 and 11 and therefore the examiner is incorporating herein the response previously advanced to the arguments of claims 1 and 11.

In response to applicant arguments regarding claims 8-10, applicant incorporates the arguments previously advanced in traversing the imposed rejection of claim 7 and therefore the examiner is incorporating herein the response previously advanced to the arguments of claim 7.

In response to applicant arguments regarding claims 6 and 16, applicant incorporates the arguments previously advanced in traversing the imposed rejection of claims 1 and 11 and therefore the examiner is incorporating herein the response previously advanced to the arguments of claim 1 and 11.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

(12) Conclusion to Examiners Answer

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/N. S. U./ 10/8/2008

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